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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

12 KINDERSTART.COM LLC, a California
13 limited liability company, on behalf of itself and
14 all others similarly situated,

15 Plaintiffs,

16 v.

17 GOOGLE, INC., a Delaware corporation,
18 Defendant.

Case No. C 06-2057 JF

**PLAINTIFFS' ADMINISTRATIVE
MOTION UNDER LOCAL RULE 7-11
AND STIPULATION
(1) TO EXTEND PERIOD FOR
PLAINTIFFS' SUBMISSION OF
DECLARATIONS PER JANUARY 22,
2007 COURT ORDER AND
(2) TO OBTAIN PROTECTIVE ORDER**

19 **PROCEDURAL SETTING FOR THIS MOTION**

20 On October 20, 2006, Defendant Google, Inc. ("Google") filed a motion for sanctions
21 against Plaintiff KinderStart.com LLC ("KinderStart") and its legal counsel Gregory J. Yu for
22 sanctions under Rule 11 ("Rule 11 Motion") of the Federal Rules of Civil Procedure (Fed. R.
23 Civ. P.). After a hearing on January 19, 2007 on the Rule 11 Motions, on January 22, 2007, the
24 Court issued an order (the "Rule 11 Order") that Gregory J. Yu submit to the Court *in camera*
25 declarations of witnesses by February 6, 2007.

26 KinderStart orally requested Google to stipulate to an extension of this deadline through
27 February 20, 2007. Google orally requested KinderStart to stipulate to a protective order to view
28 copies the subject declarations if and when submitted to the Court. This administrative request

PLAINTIFFS' ADMINISTRATIVE MOTION
UNDER L.R. 7-11 RE EXTENSION OF COURT
DEADLINE FOR RULE 11 DECLARATIONS

under L.R. 7-11 seeks an order from the Court for regarding the stipulated extension and protective order.

REASONS FOR EXTENSION OF DEADLINE FOR DECLARATIONS

1. **Plaintiffs Have Acted Diligently to Secure Declarations.** Two days after the Rule 11 Order, on January 24, 2007, Plaintiffs' counsel Gregory Yu e-mailed a key witness to provide further assistance in this case, but he replied the next day that he was out of the country for business and for vacation and would not return until after February 8, 2007. On January 29, 2007, the witness further replied that he would not be able to act on a request for a written declaration until after his return to the United States and his consultation with independent legal counsel. On January 30, 2007, Gregory Yu and Google's legal counsel Bart Volkmer verbally agreed in principle to an extension of the deadline for the declaration and to a grant of access by Google's counsel to all submitted declarations. Declarations from all other witnesses are expected by the original court deadline of February 6, 2007.

2. **Previous Extensions Requested by the Parties.** The following extensions have been effected in this case as follows: By order on August 11, 2006, the Court granted in part KinderStart's request for an extension to file the SAC by September 1, 2006.

3. **Potential Effect on the Proceedings in this Case.** The motions of Google under Fed. R. Civ. P. 8, 12 and 15 and under Cal. Code Civ. P. § 425.16 are under submission to the Court. This case is subject to the discovery stay in effect. KinderStart believes that no genuine prejudice against Google and its legal counsel arises from a 14-day extension for Plaintiffs to submit the requested declarations for adjudication of the Rule 11 Motion.

Therefore, based on the above, Plaintiffs respectfully requests that the Court issue an order pursuant to the accompanying stipulation.

Dated: February 1, 2007

GLOBAL LAW GROUP

By: /s/ Gregory J. Yu
 Gregory J. Yu, Esq.
 Attorney for Plaintiff KinderStart.com LLC and
 for the proposed Class and Subclasses